

ಕರ್ನಾಟಕ ಸರ್ಕಾರ  
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of  
Principal Chief Conservator of Forests  
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ  
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E-office File No.KFD/HOFF/A5-4(GFL)/15/2019-FC

E-76669

Dated 09-01-2023

To,

The Additional Chief Secretary to Government  
Department of Forest, Ecology and Environment  
M.S. Building, Bengaluru-560 001

Sir,

**Subject:** Diversion of 4.7417 hectare (revised from 2.797 hectare) of forest land in Sy No. 33, 13 of Kaudgaon Village and Sy No. 27, 154 of Kautha B Villages, Santapura Hobli, and Sy No. 1 of Vanamarapalli Village, Aurad (b) Hobli, Aurad Taluk, Bidar District for widening and improvement of the existing NH-161A (old SH-15) to 4-lane in Aurad-Bidar Section commencing from Karnataka-Maharashtra Border (KM 0.000) to Bidar (KM 45.878) in favour of Deputy General Manager & Project Director, National Highway Authority of India, Project Implementation Unit, Kalburgi.

**Proposal No. FP/KA/ROAD/38636/2019 [Stage-I approved]**

- Ref :**
1. Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Bengaluru letter F.No. 4-KRB 1301/2021-BAN/285 dated 23-07-2021 [Stage-I approval]
  2. Government of Karnataka letter FEE 43 FLL 2021 (e) dated 12-08-2021 [communication of Stage-I approval]
  3. This office letter of even number dated 13-09-2021 [communication of Stage-I approval]
  4. The Deputy General Manager & Project Director, National Highways Authority of India, Project Implementation Unit, Kalaburagi Letter No. NHAI/PIU-GLB/NH-161A/2022-23/751 Dated: 04.11.2022 (Received on 19.12.2022)
  5. Deputy Conservator of Forest Bidar Division Bidar letter No KFD/BDRDoA5(SY)/11/2021-22/1224& 1225 Dated 27-12-2022
  6. Conservator of Forest Kalburgi Circle Kalburgi Letter No A4/Chief Conservator of Forests/FOREST LAND/Release/NH/Compliance Report-26/2020-21 Dated 31-12-2022((Received on 02.01.2022))

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With reference to the above subject, the Government of India has accorded in principle (Stage-I) approval for diversion of 4.7417 ha. (revised from 2.797 hectare) of forest land in Sy No. 33, 13 of Kaudgaon Village and Sy No. 27, 154 of Kautha B Village, Santapura Hobli, and Sy No. 1 of Vanamarapalli Village, Aurad (b) Hobli, Aurad Taluk, Bidar District for widening and improvement of the existing NH-161A (old SH-15) to 4-lane in Aurad-Bidar Section commencing from Karnataka-Maharashtra Border (KM 0.000) to Bidar (KM 45.878) in favour of Deputy General Manager & Project Director, National Highway Authority of India, Project Implementation Unit, Kalaburagi by imposing certain conditions vide ref.(1) cited above.

Based on Stage-I approval for the project, the Government of Karnataka vide Ref (2) has directed to submit the compliance report of conditions of Stage-I approval.

Accordingly, this office vide Ref (3) informed the User Agency and field officers to submit the compliance report in respect of the conditions of Stage-I approval.

In response, the User Agency vide Ref (4) has submitted the compliance report to the Deputy Conservator of Forests, Bidar Division, who after verification has vide Ref (5) submitted the condition wise compliance to the Conservator of Forests Kalburgi Circle, Kalburgi who has further submitted the same to this office vide Ref (6) respectively.

The status of Compliance to the conditions of Stage-I approval is as under.

Sl. No.	Conditions	Compliance
<b>A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.</b>		
1	The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India, dated: 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated: 05.02.2009. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.	The User Agency has paid an amount of Rs. 42,05,888/- for 4.7417 ha @ Rs.8,87,000/ha per ha towards NPV charges to Ad-hoc CAMPA through e-payment portal dated 21.12.2021.  <b>Copy of Payment Page Print taken from FC Web portal is enclosed [Annexure -1]</b>
2	The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation over an extent of 9.4834 Ha, of degraded forest land at Sy.No.38 (Deogir Reserve Forest), Deogir Village, Nirna Hobli, Humnabad Taluk, Bidar District at the current wage rate, in consultation with State Forest department	The User Agency has paid an amount of Rs. <b>1,74,11,522/-</b> towards the cost of raising Compensatory Afforestation for 9.4834 ha @ Rs.18.36 lakh per ha, Rs. <b>94,18,704/-</b> towards Water Charges paid [9.4834 ha x Per ha. Rs. 9,93,178/=- <b>94,18,704/-</b> ] and planting of tall seedlings along the boundary area

	in the account of CAMPA of the concerned State through online portal. The scheme shall include demarcation of CA area using appropriate fencing and tall plants for better survival, provision for watering and SMC works to be included and appropriate provision to be provided for anticipated cost escalation for the works scheduled for subsequent years.	Rs.14,55,000/- to Ad-hoc CAMPA through e-payment portal vide transaction date 21-12-2021) and 11-08-2022.  Copy of Payment Page Print taken from FC Web portal is enclosed.[Annexure-1]								
3	The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	<p>The user agency has paid the upset price of the standing trees and removed the same. The amount has been paid vide DD No.317907 Dated: 06.01.2023 as follows:</p> <table><tr><th>No. of Trees</th><th>Sale Amount (Rs.)</th><th>All Taxes (FDT, IT &amp; Etc.,) (Rs.)</th><th>Total amount (Rs.)</th></tr><tr><td>470</td><td>84750</td><td>12310</td><td>97060</td></tr></table> <p>The above amount has been remitted to HOA 0406-01-101-2-01-000 (Sale Amount) &amp; 0406-01-800-0-12-000 (FDT). Payment details enclosed as <b>Annexure-1(A)</b>.</p>	No. of Trees	Sale Amount (Rs.)	All Taxes (FDT, IT & Etc.,) (Rs.)	Total amount (Rs.)	470	84750	12310	97060
No. of Trees	Sale Amount (Rs.)	All Taxes (FDT, IT & Etc.,) (Rs.)	Total amount (Rs.)							
470	84750	12310	97060							
4	All the funds received from user agency under the project shall be transferred / deposited in CAMPA account only through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.	The User Agency has made above mentioned payment towards Compensatory levies to Ad-hoc CAMPA through e-payment portal. Copy of Status of Payment Page taken from FC Web Portal is enclosed [Annexure -1]								
5	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	The User Agency has uploaded the compliance report in e-portal on 02-05-2022. ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).								
6	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	The user agency has obtained FRA Certificate from Deputy Commissioner Bidar Vide No. Rev/LND/CR-145/2021-22 Dated: 11.11.2021. <b>Copy enclosed as Annexure-2</b>								
7	The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.	The User Agency has demarcated the proposed forest area by erecting cement concrete pillars duly numbered at an interval of 20 meters. <b>Photographs and the GPS co-ordinates of the same are enclosed. [Annexure -3]</b>								
8	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -4]								

	(Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.	
<b>B. Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:</b>		
1	Legal status of the diverted forest land shall remain unchanged.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure - 5]
2	Compensatory Afforestation shall be raised over double the extent of degraded forest land within three years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified degraded forest land within three years of grant of final approval. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance.	Deputy Conservator of Forests, Bidar Division Bidar has already identified over an extent of 9.4834 Ha, of Degraded Forest Land at Sy.No.38 (Deogir Reserve Forest), Deogir Village, Nirna Hobli, Humnabad Taluk, Bidar District & Bidar Division for raising of Compensatory Afforestation and planting will be done after Stage-II approval is accorded. (Documents of the CA land enclosed as Annexure-6
3	At the time payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -7]
4	Tree felling be restricted to the barest minimum possible and under confirmation from the local forest officials.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -8]
5	Suitable signages for speed regulation and animal safety will be erected along road through forest areas.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -9]
6	The User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms, wherever possible.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -10]
7	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.	This condition needs to be modified by Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bangalore & to mention an exact lease period like 20 OR 30 years. Further, this regard User Agency has submitted an Undertaking. [Annexure -11]

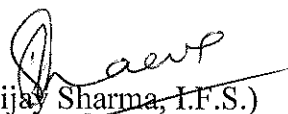
8	No labour camp shall be established on the forest land.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -12]
9	No additional or new path will be constructed inside the forest area for transportation of construction material for execution of the project work	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -13]
10	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -14]
11	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -15]
12	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -16]
13	User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -17]
14	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Layout plan is not applicable in this proposal. Further, in this regard Deputy Conservator of Forests has obtained an Undertaking from User Agency and submitted the same. [Annexure -18]
15	The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Bangalore by the end of March every year.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -19]
16	The user Agency shall comply with all the provisions of the all Acts, rules Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure -20]

**In view of the above mentioned compliance to conditions of Stage-I approval as reported by the field officers, it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change to accord final approval (Stage-II) for diversion of 4.7417 hectare of forest land in Sy No. 33, 13 of Kaudgaon Village and Sy No. 27, 154 of Kautha B Villages, Santapura Hobli, and Sy No. 1 of Vanamarapalli Village, Aurad (b) Hobli, Aurad Taluk, Bidar District for**

widening and improvement of the existing NH-161A (old SH-15) to 4-lane in Aurad-Bidar Section commencing from Karnataka-Maharashtra Border (KM 0.000) to Bidar (KM 45.878) in favour of Deputy General Manager & Project Director, National Highway Authority of India, Project Implementation Unit, Kalburgi **under the Forest (Conservation) Act, 1980.**

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully



(Vijay Sharma, I.F.S.)

Principal Chief Conservator of Forests  
(Forest Conservation) & Nodal Officer (FCA)

Copy to the Chief Conservator of Forests, Kalburgi Circle, Kalburgi for information and necessary action.

Copy to the Deputy Conservator of Forest Bidar division Bidar for information and necessary action.

Copy to the Deputy General Manager & Project Director, National Highway Authority of India, Project Implementation Unit, Kalburgi-585 103 for information 103 for information and for further action.